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Atty. Dkt. No. 089339-0365

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jurgen, Niessen, et al  
Title: METHOD OF MONITORING FOR AVAILABILITY OF A SYSTEM FUNCTION IN A COMPUTER SYSTEM  
Appl. No.: 09/857,084  
Filing Date: 05/31/2001  
Examiner: Nguyen, Tam V.  
Art Unit: 2172

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EV 227050394 US (Express Mail Label Number)	10/3/03 (Date of Deposit)
Lori A. Wilson (Printed Name)	
<i>Lori A. Wilson</i> (Signature)	

AMENDMENT TRANSMITTAL

RECEIVED

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

OCT 09 2003

Technology Center 2100

Sir:

Transmitted herewith is an amendment in the above-identified application.

[ X ] The fee required for additional claims is calculated below:

Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims: 10	<input type="checkbox"/> 20	= 0	x \$18.00	= \$0.00
Independents: 6	<input type="checkbox"/> 6	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00 = \$0.00
CLAIMS FEE TOTAL:				= \$0.00

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated,

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

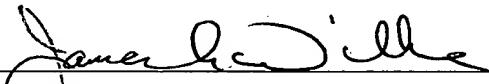
Respectfully submitted,

Date

10-3-03

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By



James A. Wilke  
Attorney for Applicant  
Registration No. 34,279



Atty. Dkt. No. 089339-0365

SC  
HJA  
10/24/03

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Sir:

This communication is responsive to the Non-Final Office Action dated July 7, 2003, concerning the above-referenced patent application.

**The Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 6 of this document.

Please amend the application as follows: